

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

<p>PETER J. MILLER, an individual, CLIFFORD HOYT, and individual, and CAMBRIDGE RESEARCH and INSTRUMENTATION, INC., a Delaware Corporation,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>PATRICK TREADO, an individual, and CHEMIMAGE CORP., a Delaware Corporation,</p> <p style="text-align: center;">Defendants.</p>	<p>Civil Action No. 1:05-cv-10367-RWZ</p>
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DEFENDANT'S TRIAL EXHIBIT LIST

Trial Exhibit #	Description	Bates Range (If Applicable)	Objection
1	U.S. Patent No. 6,734,962	CRI 001536-001551	
2	File History for U.S. Patent Application No. 09/976,391	CI00502-00676	
3	Patrick Treado handwritten notes dated 1/29/1993	CRI 000131-000132	
4	Patrick Treado handwritten drawing	Treado Depo. 6	
5	NSF (SBIR) CRI Project Summary entitled "High Definition Raman Imaging Microscope"	CRI 000582-000605	
6	NSF (SBIR) CRI Project Summary entitled "High Definition Raman Imaging Microscope"	CRI 000611-000635	
7	U.S. Patent No. 6,002,476	CRI 001156-001164	
8	CRI Final Report on SBIR Phase I Contract DMI-9560600 entitled "High Definition Raman Imaging Microscope"	CRI 000639-000664	
9	NSF (SBIR) CRI Project Summary entitled "High Definition Raman Imaging Microscope"	CRI 000665-000704	
10	Article entitled "LCTF Raman Chemical Imaging in the Near-Infrared" co-authored John F. Turner and Patrick Treado	CRI 000174-000179	
11	Article entitled "Imaging Spectrometers for Fluorescence and Raman Microscopy: Acousto-Optic and Liquid Crystal Tunable Filters" co-authored by Hannah R. Morris, Clifford C. Hoyt and Patrick Treado	CRI 002409-002418	
12	U.S. Patent No. 5,377,003	CI 01170-01189	

Trial Exhibit #	Description	Bates Range (If Applicable)	Objection
13	E-mail dated 10/5/2006 from Dan Golub to patent examiner with attached draft of amended U.S. Patent Application No. 11/103,423	CI 03622-03628	
14	4/11/2005 Office action summary with attached U.S. Patent Application No. 11/103,423	CI 03629-03636	
15	Patrick Treado handwritten drawing	Treado Depo. 17	
16	10/13/2000 File history for Provisional Application No. 60/239,969	CRI 001184-001534	
17	Falcon brochure entitled "Raman Chemical Imaging Microscope"	CRI 000002-000009	
18	E-mail dated 9/28/2001 from Matthew Nelson to Patrick Treado with attachments	CI 03173-03204	
19	12/17/2001 Notice to file missing parts of Nonprovisional Application No. 09/976,391	CRI 001582-001586	
20	Description of invention of NIR chemical imaging microscope	CI 03063-03065	
21	Description of invention of NIR chemical imaging microscope	CI 03070-03071	
22	File History for U.S. Patent Application No. 11/103,423	CI00368-02321	
23	E-mail dated 5/5/1999 from Patrick Treado to Scott Keitzer	CI 03334-03336	
24	E-mail dated 8/30/1999 from Patrick Treado to Matt Nelson	CI 03328-03331	
25	Letter dated 12/29/04 from Martin Pavane to Dr. Wes Hutchison	Miller Depo. 1	
26	Notice of deposition to plaintiff Cambridge Research and Instrumentation, Inc. (CRI), pursuant to FED.R.CIV.P.30(b)(6)	Miller Depo. 2	
27	SBIR phase I proposal entitled "High Definition Raman Imaging Microscope"	CI 02422-02426	
28	U.S. Patent No. 6,734,962	CI 00506-00521	
29	10/17/2006 Recitation of claims 7 through 13 of the '962 patent as they appear in the reissue application	Miller Depo. 5	
30	License agreement between Colorlink, Inc. and CRI	CRI 004126-004136	
31	Plaintiff's supplemental response to defendants' first set of interrogatories (Nos. 1 - 8)	Miller Depo. 7	
32	String of e-mails dated 5/13/1997 between Peter Miller and Patrick Treado	CI 02327-02330	
33	SBIR Phase II final report	CI 02559-02570	
34	Multipage document containing handwritten notes dated 2/5/1993 and a letter to C. Hoyt dated 3/9/1992 from a meeting with Nikon, Inc.	Hoyt Depo. 1	
35	U.S. Patent No. 5,943,129	Hoyt Depo. 2	
36	Article entitled "Merging Spectroscopy and Digital Imaging Enhances Cell Research" co-authored by Clifford Hoyt and Douglas Benson	CRI 000717-000720	
37	CRI memorandum dated 6/26/1996 from Peter Miller to Patrick Treado re: Phase I SBIR final report outline	CRI 000499-000503	
38	Fax dated 7/23/1991 from David Claypool to Clifford Hoyt	CRI 000755-000761	

Trial Exhibit #	Description	Bates Range (If Applicable)	Objection
39	Article entitled "Multispectral Imaging with a Liquid Crystal Tunable Filter" co-authored by Peter Miller and Clifford Hoyt	CRI 000729-000740	
40	Final report on SBIR Phase I Contract DMI - 9560600 "High Definition Raman Imaging Microscope"	CRI 000794-000806	
41	Clifford Hoyt handwritten notes dated 1/18/1994	CRI 000135-000136	
42	Letter dated 11/14/2006 from Ralph Grullon to Paul Weller with enclosed documents Bates numbered CRI 004145 - 004184	CRI 004145-004184	
43	One page document dated 3/14/1994 containing assembly component stages of a filter, id no. #93	CRI 000505	
44	One page document dated 5/11/1995 containing assembly component stages of a filter, id no. #50093 A (D;d)	CRI 000504	
45	Faxed memo 10/29/1993 from Barry Logue to Alex Pertica	CRI 000448-000460	
46	U.S. Patent No. 5,528,393	CRI 001829-001865	
47	Letter dated 11/5/1997 from Brent Sweredoski to Barry Logue	CRI 000708-000714	
48	Fax dated 11/12/1996 from Patrick Treado to Barry Logue	CRI 000185-000186	
49	Collection of separate articles re: Imaging systems	LOGUE 000001-000049	
50	CRI brochure entitled "Varispec Filters"	CRI 000046-000047	
51	Clifford Hoyt letter dated 8/5/1988 with attached proposal entitled "Image-Preserving Tunable Filter for Microscopy"	CRI 000048-000073	
52	Letter dated 8/5/1988 from Clifford Hoyt to the Division of Research Grants	CRI 000092	
53	SBIR program Phase I Grant Application entitled "Image-Preserving Tunable Filter for Microscopy" - Principal Investigator - Clifford Hoyt	CRI 000093-000116	
54	Letter dated 10/15/1993 from Patrick Treado to Clifford Hoyt	CRI 000119	
55	Multipage document re: Theory of AOTF's v. LCTF's for fluorescence emission imaging	CRI 000120-000125	
56	Fax dated 12/22 from Clifford Hoyt to Patrick Treado	CRI 000126	
57	Patrick Treado handwritten notes dated 10/30/1999	CRI 000127	
58	Patrick Treado handwritten notes dated 2/11/1994	CRI 000128-000129	
59	Patrick Treado handwritten notes dated 7/29/1993	CRI 000130	
60	Patrick Treado handwritten notes dated 6/14/1993	CRI 000133	
61	Patrick Treado handwritten notes dated 12/6/1993	CRI 000134	
62	Letter dated 10/21/1994 from Patrick Treado to Clifford Hoyt	CRI 000137-000139	

Trial Exhibit #	Description	Bates Range (If Applicable)	Objection
63	Letter dated 10/26/1995 from Patrick Treado to Peter Foukal	CRI 000140-000141	
64	Article (faxed) entitled "Liquid Crystal Tunable Filter (LCTF) Raman Chemical Imaging" co-authored by Hannah R. Morris, Clifford Hoyt, Peter Miller and Patrick Treado	CRI 000142-000164	
65	Letter dated 10/24/1996 from Patrick Treado to Peter Foukal	CRI 000165	
66	Fax dated 12/12/1995 from Patrick Treado to Barry Logue	CRI 000166-000172	
67	Letter dated 8/15/1999 from Patrick Treado to Clifford Hoyt	CRI 000173	
68	Handwritten notes from an unknown source and re: Questions for Patrick Treado	CRI 000180-000183	
69	E-mail dated 1/2/1998 from Patrick Treado to Ross Nakatsuji	CRI 000184	
70	1/7/1998 Varispec Work Order Request	CRI 000189-000192	
71	1/7/1998 Return Materials Unpacking List	CRI 000194	
72	Packing slip dated 1/2/1998 from ChemIcon to CRI's Ross Nakatsuji	CRI 000195-000210	
73	4/29/1994 Marketing meeting action items list	CRI 000216	
74	Memo dated 1/5/1994 from Peter Miller to Peter Foukal, Clifford Hoyt and Barry Logue	CRI 000226	
75	Model diagrams of angles of incidence	CRI 000241-000246	
76	Handwritten notes dated 7/19/1993 from unknown party	CRI 000247-000253	
77	6/13/1994 Small Business Innovation Research (SBIR) Program Solicitation	CRI 000258-000335	
78	Single page document from Phase I sample proposal from NSF SBIR solicitation	CRI 000329	
79	Article entitled "Construction and Characterization of Tunable Solc Filters using Liquid Crystal Retardance Plates" authored by Peter Miller	CRI 000375-000380	
80	Article entitled "Tunable Liquid Crystal Filters for Lunar and Planetary Spectral Imaging Systems" authored by CRI - Investigator: Peter Foukal	CRI 000381-000399	
81	SBIR Proposal and Project Summary Phase I entitled "Large Area Fast Spectroradiometer Using a Wavelength- Tunable Liquid Crystal Light Filter	CRI 000400-000421	
82	Memo dated 12/2/1993 from Peter Miller to Peter Foukal, Clifford Hoyt and Barry Logue	CRI 000430	
83	Fax dated 6/22/1993 from Barry Logue to Alex Pertica	CRI 000431	
84	12/2/1993 Check in the amount of \$20,800 paid to CRI from Lawrence Livermore National Laboratory (University of California)	CRI 000432	
85	Fax dated 2/14/1994 from Peter Miller to Priya Basu (Lawrence Livermore National Laboratory)	CRI 000433	
86	Microsoft and Turbo 'C' electronic routines for the NIR Varispec Filter	CRI 000434	

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87	Microsoft and Turbo 'C' electronic routines for the NIR Varispec Filter	CRI 000435-000440	
88	7/22/1993 Order Data Entry	CRI 000441	
89	11/19/1993 CRI quote from Barry Logue to Alex Pertica	CRI 000442-000443	
90	11/2/1993 Document from CRI to the Lawrence Livermore National Laboratory (University of California)	CRI 000444	
91	Purchase order dated 7/22/1993 between The Regents of The University of California and CRI	CRI 000445-000447	
92	Diagrams of filter wavelengths	CRI 000449-000460	
93	Packing list dated 1/22/1998 from CRI to ChemIcon	CRI 000467	
94	5/21/1997 Acknowledgment of a purchase order between CRI and ChemIcon	CRI 000468	
95	5/2/1997 Purchase order	CRI 000469	
96	5/2/1997 Varispec Work Order Request	CRI 000470	
97	Purchase order dated 12/10/1996 between ChemIcon and CRI	CRI 000471	
98	Stack diagram for filter, including wavelength diagrams	CRI 000472-000491	
99	Fax dated 9/12/1996 from Patrick Treado to Peter Miller	CRI 000506	
100	Final report to the National Science Foundation for "SBIR Phase I: High Definition Raman Imaging Microscope"	CRI 000507-000519	
101	Fax dated 9/12/1996 from Patrick Treado to Peter Miller	CRI 000520-000524	
102	11/18/1992 Solicitation, Offer and Award of CRI's Peter Foukal	CRI 000525	
103	Attachments (Proposal and Project Summary) of the SBIR Solicitation 91-1-Phase II	CRI 000526-000580	
104	Letter dated 11/5/1992 from Satoshi Hinata (Auburn University) to Dr. P.V. Foukal	CRI 000581	
105	Single page from NSF (SBIR) CRI Project Summary entitled "High Definition Raman Imaging Microscope"	CRI 000589	
106	Article entitled "Tunable Narrowed Birefringent Filters for Astronomical Imaging" authored by Peter Miller	CRI 000721-000740	
107	Article entitled "Liquid Crystal Tunable Light Filters for Surveillance and Remote Sensing Applications" co-authored by Peter Foukal, Peter Miller and Clifford Hoyt	CRI 000741-000754	
108	7/22/1991 Quotation from David Claypool to Clifford Hoyt	CRI 000756-000757	
109	7/22/1991 Quotation from David Claypool to Clifford Hoyt	CRI 000758-000761	
110	Multipage document from a brochure re: Zeiss Axioskop Microscopy	CRI 000780-000793	
111	Final report on SBIR Phase I Contract DMI - 9560600 "High Definition Raman Imaging Microscope"	CRI 000807-000833	

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112	Final report on SBIR Phase I Contract DMI - 9560600 "High Definition Raman Imaging Microscope"	CRI 000834-000847	
113	Final report to the National Science Foundation under Grant DMI - 9560600 - SBIR Phase I: High Definition Raman Imaging Microscope	CRI 000848-000856	
114	E-mail dated 7/16/1992 from Peter Miller to Barry Logue	CRI 000857	
115	Multitpage document from a Project Summary / Proposal	CRI 000858-000878	
116	Memo dated 5/9/1994 from Peter Miller to Wayne Schober	CRI 000879	
117	Single page document entitled "Summary of completed project"	CRI 000880	
118	Final report on SBIR Phase I Contract DMI - 9560600 "High Definition Raman Imaging Microscope"	CRI 000882-000898	
119	Quarterly Report to the National Aeronautics and Space Administration Jet Propulsion Laboratory on Tunable Liquid Crystal Filters for Remote Sensing Applications by Peter Miller (CRI)	CRI 000899-000916	
120	Quarterly Report to the National Aeronautics and Space Administration Jet Propulsion Laboratory on Tunable Liquid Crystal Filters for Remote Sensing Applications by Peter Miller (CRI)	CRI 000917-000927	
121	Quarterly Report to the National Aeronautics and Space Administration Jet Propulsion Laboratory on Tunable Liquid Crystal Filters for Remote Sensing Applications by Peter Miller (CRI)	CRI 000928-000942	
122	Faxed letter dated 1/16/1992 from Clifford Hoyt to Tom Calahan	CRI 000943-000946	
123	Fax dated 12/17/1992 from Clifford Hoyt to Mark Sartor	CRI 000947-000948	
124	NSF (SBIR) CRI Project Summary NSF SBIR Phase I entitled "High Definition Raman Imaging Microscope"	CRI 000949-000976	
125	Faxed letter dated 2/18/1992 from Clifford Hoyt to Dr. Peter Baur Schmidt and Tom Calahan	CRI 000977-000980	
126	5/11/1995 One page document containing assembly component stages of a filter id no. #50093 A (D;d)	CRI 000981	
127	3/14/1994 One page document containing assembly component stages of a filter id no. #93	CRI 000982	
128	Article entitled "The Varispec Liquid Tunable Filter"	CRI 000983-000989	
129	Brochure entitled "Applied spectroscopy - LCTF Raman Chemical Imaging"	CRI 002389-002396	
130	Article entitled "Applied spectroscopy"	CI 02063-02067	

Trial Exhibit #	Description	Bates Range (If Applicable)	Objection
131	Article entitled "Raman scattering from ultraheavily-ion-implanted and laser-annealed silicon" co-authored by A.K. Shukla and K.P. Jain	CI 02068-02071	
132	Article entitled "A Raman study of the dopant distribution in submission pn junctions in B+ or BF2+ ion implanted silicon" co-authored by A.C. de Wilton and M. Simard-Normandin	CI 02072-02080	
133	Article entitled "High-Fidelity Raman Imaging Spectrometry: A Rapid Method Using and Acousto-optic Tunable Filter" co-authored by Patrick Treado, Ira Levin and E. Neil Lewis	CI 02259-02264	
134	Article entitled "Near-Infrared Acousto-optic Filtered Spectroscopic Microscopy: A Solid-State Approach to Chemical Imaging" co-authored by Patrick Treado, Ira Levin and E. Neil Lewis	CI 02265-02271	
135	Article entitled "LCTF Raman Chemical Imaging In The Near-Infrared" co-authored by John Turner and Patrick	CI 02282-02285	
136	Peter Miller letter dated 6/10/1994 with enclosed proposal entitled "High Definition Raman Imaging Microscope" submitted to the NSF	CI 02371-02396	
137	Single page from NSF (SBIR) CRI Project Summary entitled "High Definition Raman Imaging Microscope"	CI 02538	
138	Fax dated 9/3/1996 from Peter Miller to Patrick Treado with attachment	CI 02458-02459	
139	Joint venture advanced technology program (ATP Proposal)	CI 02648-02716	
140	Concept diagram (Phase I) Chemlcon Raman Imaging System authored by Michael Schaeberle	CI 02904	
141	6/9/1992 Requisition worksheet	CI 02913-02914	
142	Notice of intramural research project entitled "Molecular dynamics and vibrational characteristics of membrane assemblies"	CI 02915-02922	
143	3/26/1991 Invoice of component	CI 02923-02925	
144	Complaint with attached exhibits (1:05-cv-10367-RWZ)		
145	Peter Miller deposition transcript Vol. 1		
146	Peter Miller deposition transcript Vol. 2		
147	Clifford Hoyt deposition transcript		
148	Dmitri Vinogradov deposition transcript		
149	Barry Logue deposition transcript		
150	Ted Les deposition transcript		
151	Letter dated 3/1/2007 from Tidge Holmberg to Kenneth Racowski		
152	Letter dated 3/7/2000 from Martin Pavane to Peter Miller		
153	Letter dated 5/11/2000 from Martin Pavane to Patrick Treado	CRI 001120-001121	
154	Letter dated 6/15/2000 from Michael Dever to Martin Pavane		

Trial Exhibit #	Description	Bates Range (If Applicable)	Objection
155	Letter dated 6/21/2000 from Martin Pavane to Michael Dever	CRI 001114	
156	Letter dated 7/27/2000 from Martin Pavane to Michael Dever	CRI 001108	
157	Letter dated 7/31/2000 from Michael Dever to Martin Pavane	CRI 004085-004089	
158	Letter dated 8/7/2000 from Michael Dever to Martin Pavane	CRI 001104-001105	
159	Letter dated 8/11/2000 from Martin Pavane to Michael Dever	CRI 001101-001102	
160	Letter dated 8/17/2000 from Michael Dever to Martin Pavane	CRI 001099	
161	E-mail dated 9/13/2000 from Martin Pavane to Michael Dever	CRI 001095	
162	E-mail dated 9/19/2000 from Michael Dever to Martin Pavane	CRI 001094	
163	Faxed memorandum dated 10/3/2000 from Michael Dever & Victoria Archer to Martin Pavane	CRI 001081-001093	
164	Letter from dated 10/12/2000 from Martin Pavane to Michael Dever & Victoria Archer	CRI 004077-004080	
165	Letter dated 10/26/2000 from Martin Pavane to Michael Dever	CRI 001075	
166	Letter dated 10/27/2000 from Patrick Treado to Peter Antoinetter	CRI 004074	
167	Fax dated 10/30/2000 from Martin Pavane to Michael Dever	CRI 001073	
168	E-mail dated 10/31/2000 from Michael Dever to Martin Pavane	CRI 001072	
169	Letter dated 11/1/2000 from Martin Pavane to Michael Dever	CRI 001068-001069	
170	Letter dated 11/22/2000 from Jeffrey Spear to Martin Pavane	CRI 001064-001066	
171	11/22/2000 Covenant Not to Sue between (ChemIcon) and (CRI)	CRI 004143-004144	
172	Letter dated 1/20/2005 from Daniel Golub to Martin Pavane		
173	U.S. Patent No. 6,711,283	CI00476-501	
174	U.S. Patent No. 5,892,559		
175	Declaration of Edward S. Yeung		
176	Expert Report of Dr. Pochi Yeh		
177	Trial Demonstratives		

Respectfully submitted,

PATRICK TREADO AND CHEMIMAGE CORP.

By their attorneys,

/s/ Anthony J. Fitzpatrick

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July 16, 2007

CERTIFICATE OF SERVICE

I, Christopher S. Kroon, Esquire, hereby certify that this document filed through the ECF system will be sent electronically in accordance with the District of Massachusetts electronic filing procedures to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on July 16, 2007.

/s/ Christopher S. Kroon
Christopher S. Kroon